

REMARKS

This Response is made to the final Office Action dated August 3, 2007. Claims 1-20 are pending in this application. Reconsideration of all pending claims is respectfully requested in view of the following discussion concerning the cited prior art.

Applicant thanks the Examiner for indicating that claims 7-20 are allowed and that claims 2, 4-6 would be allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims.

Claim 1 was rejected under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent No. 5,730,725 to Yoon (the "Yoon patent"). Applicant, however, strongly disagrees with the Examiner's interpretation of the Yoon patent. First, it is noted that the Yoon patent is directed to a medical instrument used in performing endoscopic procedures in which organ structures within an anatomical cavity are separated or elevated by the use of an inflatable balloon supplied by medical instrument. The size and shape of the inflatable balloon in the Yoon patent is created by a movable collar 20 slidably disposed on the outer surface of instrument. The Yoon patent simply does not provide a catheter assembly for delivering a medical device, such as a stent, for implantation in a patient.

The Examiner has apparently relied upon the embodiment of Figures 4C and 4B in the Yoon patent in rejecting claim 1. The Examiner has identified the collar 20 of the Yoon patent as the "outer member" as recited in claims 1 and 3. However, the components identified by the Examiner as the inner member 16 and outer member (collar 20) in the Yoon patent do not possess the structural elements recited in claims 1 and 3. For example, claim 1 requires the inner member to have an expanding member connected thereto. The inner member 16 in the Yoon patent has an outer member 18 co-axially disposed over it and as such cannot be connected to the locking member 187, which the Examiner has identified as the expandable member. Rather, the locking member 187 disclosed in the Yoon patent is connected to the inside surface of the collar 20 which is disposed coaxially around the outer member 18. The claims also require the outer member to have a wall defining an opening therein. At best, the wall of the collar 20 of the Yoon device is formed with a channel used to connect the locking member 187 to the collar 20, not the inner member 16, as recited in claims 1 and 3. In the Yoon patent, the locking member is connected to the outer member (collar 20), rather than the inner member. This arrangement of components is simply not the structure recited in claims 1 and 3. For at least these reasons alone,

the Yoon patent fails to disclose the basic structure recited in claim 1. Accordingly, Applicant respectfully requests the Examiner to withdraw the Yoon patent as an anticipatory reference.

In view of the foregoing, it is respectfully urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney can be reached at 310-824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, Applicant respectfully request that a timely Notice of Allowance be issued in this case. The Commissioner is hereby authorized, however, to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 06-2425.

Respectfully submitted,

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